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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

CANDACE GRIFFITH, <p style="text-align: center;">Plaintiff,</p> <p>v. _____</p>	Case No. 1:07-cv-0819 OWW TAG ORDER WITHDRAWING FINDINGS AND RECOMMENDATIONS (Doc. 10)
<p>_____ MICHAEL J. ASTRUE, Commissioner of Social Security,</p> <p style="text-align: center;">Defendant.</p> <p>_____ /</p>	

On February 1, 2008, this Court issued an Order to Show Cause directing Plaintiff, Candace Griffith, to explain why this action should not be dismissed based on her failure to timely and properly served her pro se Social Security Complaint, pursuant to this Court’s orders (Docs. 4, 8), and Federal Rule of Civil Procedure 4. (Doc. 9). On February 19, 2008, Plaintiff filed a letter response to the Order to Show Cause. (Doc. 11) However, Plaintiff’s response was not entered by the Clerk of the Court until February 21, 2008. (Id.) On February 20, 2008, this Court issued Findings and Recommendations to dismiss this matter for failure to prosecute and failure to comply with the Court’s orders, including failure to respond to the February 1, 2008 Order to Show Cause. (Doc. 10). At the time the Findings and Recommendations were issued, the Court was unaware that Plaintiff had submitted a response to the February 1, 2008 Order to Show Cause. Because Plaintiff filed a response to the Order to Show Cause,

IT IS ORDERED that:

1. The Court’s February 20, 2008 Findings and Recommendations (Doc. 10) are withdrawn.

IT IS SO ORDERED.

Dated: March 5, 2008

/s/ Theresa A. Goldner
UNITED STATES MAGISTRATE JUDGE